

Remarks

Claims 1-2, 4-9, 11-16 and 18-23 were previously pending. Independent claims 1, 7, 15 and 20 have been amended while claims 2 and 21 have been cancelled. Applicants assert that the currently pending claims are in condition for allowance as set forth more fully below.

Interview Summary

A phone interview was conducted on August 30, 2006. During the interview it was discussed whether Epler discloses sending the priority alert to the same number that the calling party has called. The Examiner maintained his position that a telephone line has a single telephone number so that the Distinctive Ring is being generated on the basis of a different number but is still being sent to the same telephone number that has been called. The undersigned indicated his disagreement with that point, but the Examiner and the undersigned agreed that the subject matter of claim 2 would likely be allowable if claim 1 was amended to refer to multiple calling parties. Furthermore, the Examiner indicated that such an amendment to claim 1 would be permitted after final.

103 Rejections

Claims 1, 2, 4-9, 15-16, and 18-23 stand rejected under 35 USC 103(a) as being anticipated by Epler (US Pat 5,825,867) in view of Leung (US Pat 6,005,870). Claims 11-14 stand rejected under 35 USC 103(a) as being anticipated by Epler in view of Leung and further in view of Relyea (U.S. Patent 6,185,285).

Regarding the independent claims 1, 7, 15, and 20, these claims each contain similar recitations regarding multiple calling parties where a first calling party has priority codes that are unique to the first calling party. As discussed in the interview, these recitations are not disclosed by the cited combination of references. Currently, claim 2 has been rejected by the Office Action stating that Epler discloses VIP codes at col. 11 where a VIP code is unique to the caller. However, Epler fails to disclose that such a VIP code is used to select a priority call waiting indicator via the Enhanced Call Waiting process that implements the Distinctive Ring as discussed at cols. 5 and 6 in order to provide the urgency of the call to the called party. Thus, Epler's disclosure of

VIP codes where those VIP codes may be unique to the calling parties is irrelevant since those VIP codes are not indicators of urgency to the called party as recited in the present claims. Furthermore, none of the remaining references disclose such a code that indicates priority and that is unique to a calling party. Therefore, claims 1, 7, 15, and 20 are allowable over the cited combination of references for at least these reasons.

Conclusion

Applicants assert that the application including claims 1, 4-9, 11-16, and 18-20 and 22-23 is now in condition for allowance. Applicants request reconsideration in view of the amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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